

JUN 2 7 2005

ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION

JOE JOSEPH

**VERSUS** 

CIVIL ACTION NO. 2:04CV2612 JUDGE MINALDI MAG. JUDGE WILSON

WARDEN, LA STATE PENITENTIARY

## **CERTIFICATE OF APPEALABILITY**

A fina considering finds that:	al order having been filed in the above-captioned habeas case, the court, the record in this case and the requirements of 28 U.S.C. § 2253, hereby
<u> </u>	The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.
	The certificate of appealability is GRANTED for the below reasons:
The a constitute a	pplicant has made a substantial showing that the following issues denial of a constitutional right:

Signed at Lake Charles, Louisiana, this 27 day of 2005

PATRICIA MINALDI

UNITED STATES DISTRICT JUDGE